THE "MAN'S STORE." Official Weather Report-Fair and con-



A "Big Slide" in prices-finest overcoats and suits shown this season going at honest half price.

\$15.00 Overcoats and Suits... \$7.50 \$18.50 Overcoats and Suits... \$9.25 \$20.00 Overcoats and Suits ... \$10.00 \$25.00 Overcoats and Suits ... \$12.50 \$30.00 Overcoats and Suits...\$15.00 \$35.00 Overcoats and Suits...\$17.50

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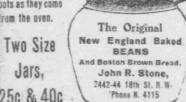
Ladies' Whole Sole and Heel, \$1.25 Men's Whole Sole and Heel, \$1.50 National Shoe Mfg. & Repair Co. Inc. 442 9th St. N. W. 'Phone M. 1619.

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ecorations it is best to consult Gude. 1214 F

CARDOZO LOSES CASE

Justice Gould Refuses to Sign Restraining Order.

Referee Decides Constitutionality of Manner of Appointing School Commissioners Definitely Settled Affirmatively by Decision of United States Supreme Court.

Members of the board of education are uch pleased with the action taken by Justice Gould, in Equity Court yesterday, in dismissing the rule to show cause, and refusing to sign a temporary restraining rder, as prayed for by Francis L. Cardozo, against the board. Justice Gould furthermore sustained the constitutionality of the board of education as it exists at the present time. This was also pleasng to the members, who are relieved at eing able to again proceed with their ad-

Admiral Baird, president of the board, endeavoring to get in communication with Mrs. Terrell, who is out of the city, so that a date for the continuance of the rial of Cardozo before the board may be set as soon as possible. Dr. Atwood has been ill, but is out again, and the board members, without exception, are anxious to proceed and bring the matter to a close. Although nothing definite has been decided, it is possible that a meeting may be called for the latter part of the

Justice Gould's Decision, In dismissing the matter from his juris-

iction Justice Gould said: "I think this case should be disposed at once because of its importance and he questions involved. Being one of the scribed by the act of Congress was constitutional, I would not have participated dict in favor of Mr. Jaeger.
The matter was argued in the Court of authorities to change my opinion. Hower I have given due welcht to the ver, I have given due weight to the

Question of Constitutionality.

ig the manner in which the board of edudintment of election supervisors,

est in judges appointed for life and subct to no ulterior influence the power appoint members of unpaid boards or fficers whose only desire is the public eal, as is the case with this board of oards are subjected to unfair criticism

Line of Demarkation,

government-judicial, legislative, and xecutive. We have had almost all coneivable forms of governments in this District and I take it that this is an addional reason for sustaining the constituonality of the act of Congress. The second question is one, also, that

ives me little difficulty. I have not read osely all the charges of the specificaions, but I cannot doubt that among hem is one that if proven will warrant he removal of the accused from office. It s not required of a board that in framng its charges it shall be so careful or pecific as is an indictment prepared by uries. All that is necessary is such fair-ness and definiteness as will enable the ceused to prepare his defense, I think his has been done.

Lack of Jurisdiction.

"There is another question involved ere-the lack of jurisdiction of this ourt in this matter, and I have refrained ground of lack of jurisdiction only be- a. m. to 3 p. m. of more general importance. I have not from 6:30 a. m. to 6:30 p. m. rreparably injured in a legal way by his rial before the board of education or his smissal. If he is removed without just get relief. Also, if he is illegally tried nd dismissed, then the remedy is by is position. That would be adequate than any rye you ever ate. At grocers'

'I therefore dismiss the rule as against he board of education and refuse to issue temporary restraining order."

SARGENT PROPOSES CHANGE.

Would Examine Emigrants Before They Start to America.

Immigrants should have some way of knowing if they are physically and mentally fit to enter the United States before they leave their native country, and not ave to wait until they reach our shores, ccording to the views of F. P. Sargent, Commissioner General of Immigration, exressed in his talk before the Cosmos Club last night.

"It is now the custom," said Mr. Sargent, "to examine the immigrants after oose of learning if they are desirable. Can you imagine what this means to many of them? They leave their native omes and friends, and, taking all they essess in this world, embark to America whose freedom they have heard so They get within sight of shore, nd then if they are in any way deficient round, for they are told that they cannot land, and they are forced to return to Pins, Pillows, Badges. Costinett's, 618 14th. their native lands. We have conferences on international questions-why not have

one on the subject of humanity? "This country is sufficiently powerful to stablish agencies in other cities where ospective immigrants could be examined before they start for this country. In that way much suffering could be stopped. ast year over 15,000 foreigners were turned away from our shores when they had imagined that they had reached the threshold of a new and better life." After Mr. Sargent's address the subject was declared under discussion. Among the speakers who expressed their views was Prof. Hrdlicka, of the Smithsonian Institution. In his comments upon Mr. Sargent's remarks Mr. Hrdlicka said he favored such a plan.

Flowers for Receptions.

PLACES OF INTEREST.

BOARD OF EDUCATION UPHELD

p. m.
United States Post-office—Open 9 a. m. to 2 p. m.
Washington City Post-office—Open all hours. The
lead Letter Office is in the city post-office.
National Botanic Gardens—Open 8 a. m. to 5 p. m.
Fish Commission—Open 9 a. m. to 4 p. m.
Army Medical Museum—Open 9 a. m. to 4 p. m.
National Museum—Open 9 a. m. to 4 p. m.
(induing holidays). luding holidays). Smithsonian Institution—Open 9 a. m. to 9

Washington Monument (5551/2 feet in height)-Open

Corcoran Gallery of Art-Open 9:30 a. m. to 4 p. m. in winter; 3 a. m. to 4 p. m. in summer. Sundaya-1:30 p. m. to 5 p. m., except in midsummer. Ad-mission free on Tuesdays, Thursdays, Saturdays, and Sundays; other days, 25c admission. Government Printing Office—Open 10 a. m. to 2

Zoological Park-Open all day. Rock Creek Bridge and Park.
Chevy Chase and Kensington.
Naval Observatory—Open 9 a. m. to 3 p. m.
Cabin John Bridge, Catholic University, and Alex-

WILL CASE GOES TO APPEAL. Relatives Contest for Share of Mrs

The hearing on appeal in the contes ver the estate of the late Hannah

rguments here in the attitude of one Appeals on the part of the contestants by the sanity of persons afflicted with epi-

HAU BELIEVED INSANE.

Washingtonian's Mental Condition. the United States Supreme Court, which for the alleged murder of his mother-in held that the Federal Circuit Courts could law, Frau Molitor, on the night of Noappoint supervisors of elections. The has decided to appoint a commission of right and wrong, and could cuit Courts did exercise this power lunacy and determine his mental condition impulse that came to her. and were sustained. It occurs to me before the case against him is continued. brought out had shown the facts of the hat there is nothing judicial in the ap-

CHINESE SITUATION SERIOUS.

Fund to Relieve Famine Enlarged by \$25,000 Contribution.

Louis Klopsch, publisher of the the Chinese relief fund. Dr. Klopsch has vee, hould be an absolute line of demarkation sidered most serious and the government lieved his wife insane at times. He was between the three co-ordinate branches here will do everything in its power to relieve the situation.

> Belasco-"Chimes of Normandie," 2:15 p. m. New National-Shaw's "Caesar and Cleopatra," :15 and 8:15 p. m. Columbia-"The Spoilers," 8:15 p. m.

New Lyceum—"Broadway Gaiety Girls," burlesque 25 p. m. and 8:15 p. m.

Odd Fellows' Hall-"Carnival of Nations," 8:15 Convention Hall-Roller skating-morning, after

every day in the year at 6:30 p. m.

To Mount Vernon-Electric trains leave Twelfth rom refusing this application on the street and Pennsylvania avenue every hour from 19 ause the other questions came first as To Alexandria-Ferry steamer Callahan hourly

The Government Now Numbers

All products that satisfy the requirements of the Pure Food Measure. In the files of the Department of Agriculture BERENS' RYE BREAD is numbered 3001, It's an absolutely pure food and always has been. Made in an up-to-date bakery with specially milled rye—mixed in the German way. Highly nourishing—more delicious than any rye you ever ate. At grocery,

that can be depended upon to promote strength. It is especially valuable as an emergency tonic. 'Phone N. 528, Three Feathers, \$1.75 bot. Wm. Cannon, 1225

Moses' February Sales of Furniture, Beds, and Bedding offer remarkable Bar-gains. Watch for lists. F st., cor. 11th.

Hungarian Gypsy Orchestra at Park lotel, Winter Garden, Rathskeller, N. Y. No. 174. Parker et al. vs. Heald. executrix; judg-ment affirmed with costs. Opinion by Mr. Justice Hotel, Winter Garden, Rathskeller, N. Y. ave. and 11th st. F. Endres, Prop.

Valentines. All kinds, Gould's, 421 9th.

Mayers,

MANUFACTURERS' SAMPLES. **AUCTION TO-DAY**

Only One More Witness to Be and Flat Called by Defense.

VICTIM'S MOTHER RECALLED

Mrs. Joseph Conen Testifies as to ing Experts on the Stand.

Mrs. Josephine Conen, the mother of Lucien Conen, who was shot by Mrs. W. J. Lambert; defendant's solicitors, John Rigous Jennie L. May, yesterday afternoon testi- and W. N. Richardson fied as to the authenticity of the letters which had been received by her son, and which the prosecution claimed were written by Mrs. May. These letters, it was m. to 2 shown during the trial, were submitted Baker, 81 to Lieut, Santelmann and Gen. Elliott when the trouble between the Mays and Henry Lucien Conen was brought to their at-

While on the stand, Mrs. May's husband identified three of these letters as having been written by his wife, while he was not able to testify as to the rest. There are seventy-five of them, and it was claimed that, at the investigation before Lieut. Santelmann, Conon was not at fault in the matter of receiving atten-

stand by the prosecution, and he testified that every one of the seventy-five letters were in the handwriting of Mrs. May. J. Frank Trazzare, the local hand-writing expert, was called as witness, but his Jaeger was had yesterday by the Court of testimony was not needed, as at this O. I. Yellott, and F. W. Brown; defendant's at Appeals. The case involved the validity point Mr. Fulton, counsel for Mrs. May, torneys, A. S. Worthington and C. J. Faulkner. of the will of the deceased, dated April admitted the authorship of the 77 ex-

Jury May Hear Letters,

In all probability, these letters will be read to the jury this morning, and it is 'If I had not believed the selection of and alleged undue influence. The estate is expected that considerable additional Bail he board of education in the manner preexisted between Mrs. May and Conen. Dr. Charles H. Clark, an alienist from St. Elizabeth's Hospital, testified as to Baker.

Another alienist on the stand was Dr. Du J. Wesley Bovee, who testified that he lieved Mrs. May was insane when she ade an attempt on the life of Conen He gave as the reason for his belief that vember 6, last, have led to the belief that charges against her so wrought her up remely restless and depressed, thus lead-ment of Mrs. May's husband that he

Had Homicidal Tendencies.

"Homicidal tendencies were pro in the woman at that time," said Dr. Bovee, "and the deed was done during a fit of emotional insanity.

"What is emotional insanity?" asked Christian Herald, of New York, has sent the Red Cross here a check for \$25,000 for "Temporary Insanity," replied Dr. Bo-

Famine conditions in China are con- was recalled and he testified that he beasked concerning epilepsy in his wife's family, but the questions were ruled out. Yesterday was the fifty day of the trial and but one more witness will be called by the defense to-day. There has been no attempt to deny there was an as-sault made by Mrs. May, but the defense insists she was insane at the time, and had no intention of inflicting injury on

DISTRICT COURTS.

Court of Appeals.

ted to practice.

o. 1716. Irrigation Land and Improvement Comy vs. Hitchcock; appeal to Supreme Court of the
ited States prayed by Mr. George H. Patrick, of
msel for appellant, allowed and bond fixed at \$300

Estate of Mary E. Pancoast; petition for letters
of administration filed. Attorney, John St. C.
Brookes.

Estate of Eliza Aiken; will dated October 17, 1965,
filed.

1738. District of Columbia vs. Green: passed

Sected and dismissed.

On 1755. Kultz vs. Jaeger: argument commenced Mr. John Ridout for appellant, continued by Mr.

J. Lambert for appellant, continued by Mr.

In Ridout for appellant; on motion the appellants allowed to file supplemental brief herein if so allowed to file supplemental brief herein if so Archer, jr.

the Department of Agriculture BERENS RYE BREAD is numbered 3901. It's an absolutely pure food and always has been. Made in an up-to-date bakery with specially milled rye—mixed in the German way. Highly nourishing—more delicious than any rye you ever ate. At grocers'.

Teachers' Appointments Approved.

The Commissioners yesterday approved the recommendation of J. Nota McGill. president of the board of trustees, Reform School for Gdrls, that Miss Philomena Cuādyre and Miss Lena Parker be appointed teachers of industries at a salary of \$480 per annum.

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Purissima Rye a Quality Wishely.

ren by Mr. Justice Robb.
Patent Appeal No. 499. Dunbar vs. Schellinger;
decision of Commissioner of Patents affirmed. Opinion by Chief Justice Shepard.
Patent Appeal No. 462. Feinberg vs. Cowan; decision of Commissioner of Patents affirmed. Opin-

Patent Appeal No. 465. In re application of Max Ams; decision of Commissioner of Patents affirmed. Opinion by Mr. Justice Robb. Patent Appeal No. 468. Hansen vs. Dean; decision of Commissioner of Patents affirmed. Opinion by

No. 7. Lewis vs. District of Columbia. Appe

Patent Appeal No. 385. Wickers et al. rs. Upham; ecision of Commissioner of Patents affirmed. Opin-in by Mr. Justice McComas. Patent Appeal No. 386. Wickers vs. McKee: de-ision of Commissioner of Patents affirmed. Opinion cision of Commissioner of Patents affirmed. Opinion by Mr. Justice McComas.

Patent Appeal No. 387. Wickers vs. McKee; de-cision of Commissioner of Patents affirmed. Opin-ion by Mr. Justice McComas.

Patent Appeal No. 388. Wickers vs. McKee; de-cision of Commissioner of Patents affirmed. Opin-ion by Mr. Justice McComas.

Patent Appeal No. 388. Wickers vs. McKee; de-cision of Commissioner of Patents affirmed. Opin-ion by Mr. Justice McComas.

Fatent Appeal No. 401. In re application of water J. Wickers et al.; decision of Commissioner of Patents affirmed. Opinion by Mr. Justice McComas. Assignment's for to-day:
On hearing—No. 5. Mergan vs. Adams. Appelant's attorney, E. H. Jackson; appellec's attorneys, AND SURVEYS Neatly, accurately, and quickly done, S. H. Giesy and J. J. Darlington.

No. 6. Riddle vs. Gibson. Appellant's attorney,
L. A. Bailey; appellee's attorneys, Wilson & Barks-

E. H. Thomas.
10. Jenkins vs. Purcell. Appellant's attorney. No. 19. Jenkins vs. Furcell. Appenant's attorney, C. F. Diggs; appellee's attorneys, Berry & Minor. Regular call—No. 1654. Jennings vs. Philadelphia, Baltimore and Washington Railway Company. Appellant's attorneys, E. H. Jackson, H. E. Davis, and F. F. Barker; appellee's attorneys, McKenney

& Flannery.

No. 1662. Brill vs. Washington Railway and Electric Company. Appellant's attorney, Melville Church: appellee's attorneys, Warfield & Duell.

No. 1673. Adams Express Company vs. Adams. Appellant's attorneys, W. S. Thomas and S. T. Thomas; appellee's attorneys, A. B. Webb and H. L. Franc.

H. L. Franc.

No. 1676. Moore vs. Pywell. Appellant's attorneys, Leckie, Fulton & Cox; appellee's attorneys, d. J. Darlington and C. ct. James.

No. 1679. Nicolai vs. Gallovay. Appellant's attorneys, d. J. Darlington and C. ct. James.

No. 1679. Nicolai vs. Gallovay. Appellant's attorneys, Leckie, Fulton & Cox. J. A. Toomey, and R. S. Hume; appellee's attorney, S. T. Thomas.

Nos. 1683-f. Barstow vs. Capital Traction Company. Appellant's attorneys, F. J. Hogan and W. J. Lambert; appellee's attorneys, R. Ross Perry & Son and G. T. Dunlop.

Equity Court No. 1. CHIEF JUSTICE CLABAUGH.
aker vs. Merillat; auditor's report rat and distribution ordered. Complainant's solicito

diaments for to-day:
27. Hamill vs. Downing. Attorneys, Edward
ies-Wharton E. Lester.
47. Beha vs. Beha. Attorney, Candall 79. Dickerson vs. Dickerson. At orneys, Sheehy & Hogan—Andrew Lipscomb, 171 ison. 131. Black-Perkins vs. McKay. Attorneys, E. Davis—A. S. Worthington, Phrney &

Woodward.
No. 157. Polen vs. Marceron. Attorneys, I. Will amson, C. Carrington-Crandal Mackey. Equity Court No. 2. JUSTICE GOULD.

Phillips vs. Anscostia Brick Company; complain ant granted leave to withdraw certain exhibit. Com plainant's solicitors, Hufty & Hufty; defendant' Cardozo vs. Baird; rule discharged and injune before Lieut. Santelmann, Conon was not at fault in the matter of receiving attention from Mrs. May.

Loren C. Horton, of Trenton, N. J., an expert in handwriting, was put on the grand by the prescention, and be testified.

Circuit Court No. 1,

JUSTICE WRIGHT. Jenkins vs. McDonald; demurrer to declaration sustained with ten days to amend. Plaintiff's at-torneys, Shipley and McLaughlin; defendant's at-torneys, Montague and Bailey. Assignments for to-day: No. 153. Easterling vs. Horning. Attorneys, Wil-son & Barasdale—Tucker & Kenyon and E. S. Railee.

Bailey.

No. 165.—Magruder vs. Luttrell. Attorneys, Ral-ston & Siddons and W. E. Richardson—Hamilton, Colbert & Hamilton.

No. 175. Stead vs. Galt. Attorneys, George S. Chase—Wolf & Rosenberg and D. W. Baker, No. 179. Mills vs. Diggs. Attorneys, W. J. Lam-bert—Brandenburg. & Brandenburg.

bert-Brandenburg & Brandenburg.

No. 5. Wright vs. Blum. Attorneys, W. E. Am brose-Ormsby McCammon.

No. 123. Ray vs. Foy. Attorneys, W. W. Boar man and Hayden Johnson—J. L. Johnson and E. C.

Circuit Court No. 2.

JUSTICE ANDERSON.
Empaneling of jury; jury not completed, and file cen names ordered drawn. Herreil vs. Kelly; continued for the term. Plair

Conrad vs. Switzer. Attorneys, J. (Adkins-H. Prescoti Gatley.

No. 256-Pell vs. McKay. Attorney, H. E. Davis,
No. 210. Taylor vs. Heron. Attorneys, W. H.
Linkins-C. E. Emig.
No. 82. Wylie vs. Riley. Attorneys, G. M. Brady
-Dooglas & Dodglas.
No. 224. Farr vs. Philadelphia, Wilmington and
Baltimore Railroad Company. Attorneys. B. T.
Doyle-F. D. McKenney and J. S. Flannery.

Criminal Court No. 1. JUSTICE STAFFORD.

Assignments for to-day:
United States vs. Judson Harrison.
United States vs. Jesse E. Bruden.
United States vs. Josephine Thomas
United States vs. James McIntosh.

Probate Court.

JUSTICE GOULD. Estate of Richard Emmons; will dated Octob Estate of James R. Richards; letters of admin tration granted to Ellen D. Richards; bond, \$5,000.

istration granted to Ellen D. Richards; bond, \$5,000.
Attorney, E. C. Duitan.
Estate of George S. Howell; order to sell stock.
Attorney, C. W. Darr.
In re Edith C. Betts et al.; order to sell real
estate. Attorney, George Francis Williams.
In re Anna Cleary et al.; petition to appoint
guardian filed. Attorney, James H. Horigan.
In re Daniel J. Mulcaby; petition to appoint
guardian filed. Attorney, D. W. O'Denoghue.
Estate of Elsie J. Quackenbush; will dated November 13, 1995, filed.
Estate of Zenas C. Robbins; will dated May 5,
1933, filed.
Estate of Patrick J. Coffey; petition for probate
Estate of Patrick J. Coffey; petition for probate

1933, filed.
Estate of Patrick J. Coffey; petition for probated will filed. Attorney, P. J. Ryan.
Estate of Mary E. Pancoast; petition for letter of administration filed. Attorney, John St. C.

No. 49141. Chambers R. Owens vs. Washington Railway and Electric Company: damages \$10,000. Plaintiff's attorneys, McNetll & McNetll. No. 49142. Daniel J. Dougherty vs. Capital Trac-tion Company; damages \$10,000. Plaintiff's attorney.

No. 2883. Maude E. Kell vs. James H. Kell; divorce. Complainant's solicitor, R. E. Mattingly. No. 2886. Christian F. Dittz vs. Frederick I. Alien; Commissioner of Patents, to fix ownership of patent. Complainant's solicitor, J. S. Vowles. No. 26892. Molife S. Dement vs. Franklin L. Dement vs. Grankling of Complainant's solicitor. Oscar.

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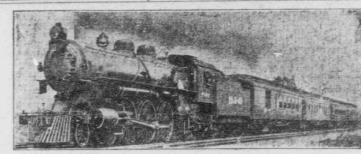
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Congressional Library-Open 9 a. m. to 10 p. m

on secular days; from 2 p. m. to 10 p. m. on Sun-lays and on certain holidays.

Public Library—Oper 10 a. m. to 10 p. m. in win-er; 10 a. m. to 3 p. m. in summer; holidays, usual louts; Sundays, 2 to 10 p. m.

Executive Mansion—Open 10 a. m. to 2 p. m.

United States Treasury—Open 9 a. m. to 2 p. m.

State, War and New Departments—Open 9 a. m. 0 2 p. m. (The original Deciaration of Independence in the Library of the State Department.)

United States Patent Office—Open 9 a. m. to 2 p. m.

United States Pension Bureau—Open 9 a. m. to ip. m.

Agricultural Department—Open 9 a, m. to 4 p. m Bureau of Engraving and Printing—Open 9 a, m

Navy Yard-Open 9 a. m. to 4 p. m. IN THE SUBURBS. IN THE SUBURBS.

Mount Vernon, the home and tomb of Washington—Open 11 a, m. to 4 p. m.

Arington National Cemetery—Open all day.
United States Soldiers' Home—Open 9 a. m. to

Jaeger's Estate.

Jaeger was had yesterday by the Court of 21, 1904, Mrs. Jaeger having died under an hibits. the questions involved. Being one of the operation May 6, 1904. By the terms of parties originally responsible for the present board's appointment, I approach the husband, Frank Jaeger. The mother and case with reluctance and some modesty. lasting several days, before Justice Barnard and a jury, the court directed a ver-

I regard the question of the constitu- German Court Decides to Investigate The peculiar actions of Prof. Hau, foring to the present suspicion that he is would get a divorce from her nentally unsound.

> LOCAL MENTION. AMUSEMENTS TO-DAY,

Chase's-Polite vandeville, 2:15 p. m. and 8:15 p. m.
Majestic-"Mayor of Laughland," 2:15 and 8:15

EXCURSIONS TO-DAY.

To Fort Montoe, Norfolk, Newport News, and all points South—Norfolk and Washington steamers every day in the year at 6:30 p. m.

found a single authority that would just-found a single authority that would just-this court in assuming jurisdiction.

Be in Style. Have a National Inverted Gas Light put up; save gas. C. A. Muddiman & Co., 1204 G st. nw.

